Supreme Court, U.S.
FILED
NOV 10 2010
OFFICE OF THE CLERK

No. 10-455

IN THE

Supreme Court of the United States

RORY M. WALSH, INDIVIDUALLY, AND
AS NATURAL GUARDIAN FOR CRW, A MINOR, AND
AS NATURAL GUARDIAN FOR SJW, A MINOR

Petitioners

v.

DR. ROBERT KRANTZ
THE DALLASTOWN AREA SCHOOL DISTRICT
JUDY KEENEY

Respondents

ON PETITION FOR WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

REPLY BRIEF

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QUESTIONS PRESENTED

The respondents counsel, having committed a serious crime before the 3rd Circuit Court of Appeals that is also an internet crime, see IC3 (Internet Crime Complaint Center), case I100830145445603l, that has been reported to the FBI, has failed to address the core issues; respondent Krantz 4th Amendment violation, the judicial activism by the lower court (see FRAP 10(b)(2); Unsupported Finding or Conclusion) but in his reply brief, focuses on defending his crime before the 3rd Circuit.

However, his Reply Brief, has been filed by a New York Attorney that is already deceased, committing yet again fraud upon the Supreme Court of the United States. Attached within Petitioner Walsh's motion of 9 Nov 10, is the evidence, from the state of New York, **that Attorney Carolyn Thomas, Registration Number 1488600 is already deceased.**

Hence, above and beyond the questions Petitioner Walsh presented in his Petition for Writ of Certiorari filed on 1 October, 2010, the only new question is if the Supreme Court should even consider this reply brief filed by a dead person.

LIST OF PARTIES

(in addition to those listed on the cover page)

Mrs. Shari A. Young
Dr. Sue A. Cathcart
Ms. Kelley Heisey
Dr. Stewart Weinberg
Ms. Cathy Stone
Mr. Greg Anderson
Ms. Carol Stein

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Rory M. Walsh, and his sons CRW and SJW, respectfully petition for a writ of certiorari to review the judgment of the United States Court of Appeals for the Third Circuit in this case. **This is Petitioners Reply Brief filed in response to the respondents filing, that was put before the Supreme Court by a New York attorney that is already dead. The state of New York registered the death of Attorney Carolyn Thomas during December 1999, and there are no other attorneys in New York by that name. This is an act of incredible fraud upon the Court by respondent Krantz and his counsel.**

OPINIONS ALREADY FILED

The opinion of the 3rd Circuit and the decisions of the lower court are already before the Supreme Court, enclosed in Petition Walsh's Petition for Writ of Certiorari of 1 October 2010, filed on 4 October 2010.

JURISDICTION

Jurisdiction of this Court is invoked under 28 U.S.C. § 1254(1).

CONSTITUTIONAL, STATUTORY AND OTHER PROVISIONS INVOLVED

This case involves the illegal intercept of a private telephone conversation between a single father and his son by a school principal, who then made a record of the contents of that same protected telephone conversation and confronted Petitioner Walsh with the contents, in violation of the 4th Amendment. See *Katz v United States* 389 US 347 (1967). This being

the third instance this same abusive school principal illegally intercepted/redirected private telephone calls between petitioner Walsh and his son minor CRW.

Now, within their filed Brief in Opposition, respondent Krantz and his counsel have committed fraud upon the Supreme Court by using a long dead attorney to file their brief. See 18 USC §1503.

CONCISE REPLY STATEMENT

Within the respondents brief in opposition, the respondents fail to rebut the core issue; respondent Krantz illegally eavesdropping on the private telephone conversation between Petitioner Walsh and his son on 29 Mar 06. Further they fail to address the second issue, that of the lower court, in an act of judicial activism and pure speculation, conjuring up his own conclusion not based on any evidence or testimony, but out of his own imagination.

The respondents filed their brief solely to address Atty Gicking's crime before the 3rd Circuit, wherein he suppressed Walsh's evidence, removed some of Walsh's evidence, and planted his own evidence that the 3rd Circuit relied on to award the respondents summary judgment. Further, and most importantly, the respondents have now committed fraud upon the Supreme Court by using a dead attorney to do their filings; Attorney Carolyn Thomas of New York has been dead for years, the Attorney registration office for the state of New York registered her death in 1999.

ARGUMENT

The respondents in their brief in opposition fail to address the core issue; Krantz' illegal eavesdropping

on 29 Mar 06. to address. The respondents have produced no warrant for Krantz illegal eavesdropping, nor any proof Petitioner Walsh made public his private conversation with his son, while sitting in his office cubicle in Bridgewater, New Jersey, miles away from the Dallastown Middle School. See *Katz v United States* 389 US 347 (1967), and the decision in *PBA Local no. 38 v Woodbridge Police Dept* 832 F. Supp 808, 819 (D.N.J. 1993). "There does not have to be an expectation of privacy to maintain a violation of the Federal Wiretapping Act." *Id.* Krantz' ever-changing testimony screams to be heard before a jury. Petitioner Walsh and his sons pray for that same opportunity. Petitioner Walsh and his son are protected from Krantz intruding EAR by the 4th Amendment. See *Katz*. With no defense offered for this question presented to the Supreme Court, then per FRCP 55 Walsh and his sons move for summary judgment to remand these issues for trial.

The respondents also fail to address the second issue presented, the judicial activism of the lower court. Whether the federal district court can, in an act of speculative judicial activism, dream up his own conclusion, unsupported by any evidence or testimony, to throw the case out and award the respondents summary judgment. See FRAP 10(b)(2); Unsupported Finding or Conclusion. Within his order of 18 Dec 09 (Petition for Writ of Certiorari, page 23a) the lower court (CC Conner) makes up his own hypothetical reason totally unsupported by the evidence. CC Conner states, "for instance, by unintentionally overhearing CRW mention it, or by speaking to someone else who knew it. This is a false conclusion and clearly speculative judicial activism. Both person legally on the phone, Appellants Walsh and CRW, emphatically stated Krantz was not

spoken to during or after the second call on 29 Mar 06. Further, none of the appellees offered such testimony; it was conjured up by the lower court. See FRAP 10(b)(2).

Within their brief in opposition, the respondents throw the weight of their filing into defending Attorney Gicking's actions, wherein he suppressed Walsh's evidence, and planted his own, and then froze Walsh from making filings through the ECF system on 21 July 10. Petition Walsh had to get the involvement of Margaret Weigand, the assistant Clerk of Court at the 3rd Circuit, to get his filings on 21 July 10 unlocked (Gicking illegally locked them), and had to re-file those same filings because Attorney Gicking removed the exhibits. This is an incredible act of obstruction of justice, by someone who is supposed to be an officer of the court. See 18 USC §1512(b). This also documents the internet crime Attorney Gicking, and the law firm have made, they manipulated Walsh's filings, and his ability to file through the ECF system. This internet crime has been reported to the Internet Crime Complaint Center (I3C) of the FBI, case I10083014544560 31.

The ruling of the 3rd Circuit, documents the respondents obstruction of justice; the ruling panel relied on two emails filed by Walsh, when Petitioner Walsh only filed one. The second worthless email was planted by Attorney Gicking to ensure, the 3rd Circuit rule against Walsh. Per the rules of the 3rd Circuit, Petitioner Walsh was required to approach the law firm of MDWC&G with the contents of the joint appendix. Neither Attorney Hare or Gicking responded. Further, if either felt they had additional pieces of evidence they wished to bring before the ruling panel, the 3rd Circuit Rules also have provisions for that. They did not.

Instead, they planted a second, useless message from respondent Krantz of 29 Mar 06 at 2:11 PM. Walsh only provided one email in his appendix from Krantz, his email of 3/29/06 at 01:06PM. Granting of Certiorari will show this irrefutable proof to the Supreme Court of the blatant obstruction of justice committed before the 3rd Circuit.

The 3rd Circuit used this planted evidence to rule against Petitioner Walsh. The ruling panel claimed Walsh relied on two emails from Krantz. THIS IS FALSE. Walsh only provided one. See page 10a and 11a of Walsh's petition for Writ of Certiorari. Within, the ruling party claims, "Walsh contends in his brief on appeal that a triable issue of material fact was established by his expert report, two emails from Krantz, and CRW's affidavit." This is false, and directly tied to Gicking's obstruction of justice. Petitioner Walsh only provided one email and numerous pieces of evidence are not discussed; the two originating emails from Hartman and Young, the note from Sgt. Stabley of the York Area Regional Police, the excerpts from Atty Rehmeyer and Atty O'Donnell's filings in the lower court, and statement of CRW of 31 Mar 06, ALL SUPPRESSED BY RESPONDENT KRANTZ AND HIS COUNSEL; ATTORNEY JAMES W. GICKING. This is a crime, see 18 USC § 1512(b), and brings liability upon Krantz and Weinberg, who are using public funding, public educational funding, to pay these attorneys to commit crimes on their behalf. See 18 USC § 1956 and possibly 18 USC § 648.

The respondents are correct. Per FRAP 30(a)(2), the ruling panel and look down into the lower court action and use any additional evidence. They also correctly cite to *Selkridge v United of Omaha life Ins. Co.*, 360 F.3d 155 (3rd Cir. 2004). **But that is not how**

the ruling panel ruled on this issue. See page 10a and 11a of Walsh's petition for Writ of Certiorari. Within, the ruling party claims, "Walsh contends in his brief on appeal that a triable issue of material fact was established by his expert report, two emails from Krantz, and CRW's affidavit." **This is false, and directly tied to Gicking's obstruction of justice. Walsh only provided one email, Gicking, is his lawlessness, planted the second one in his naked obstruction of justice before the 3rd Circuit.**

Now, in a new issue, Attorney Gicking has done the same before the Supreme Court. For whatever his reason is, he used an attorney who has been dead for over 11 years to file his brief in opposition. Before the Supreme Court is also the affidavit of service from the deceased Attorney Carolyn Thomas NY registration number 1488600 (there are no other Carolyn Thomas's registered as attorneys with the state of New York). It drew Petitioner Walsh's suspicion for a number of reasons; 1) it is not written on the gaudy MDWC&G letterhead stationary; 2) it has been mailed from New York, when this action originated and has been fought in Pennsylvania, 3); Attorney Thomas has never yet entered her appearance, and 4); it is missing her address, and telephone number required.

With so many errors, Petitioner Walsh looked deeper and discovered; **Attorney Carolyn Thomas 1488600 is dead, and has been dead since 1999.** This is fraud upon the court, the Supreme Court of the United States, by respondent Krantz and his counsel. See also 18 USC § 1503. There are no provisions for the Supreme Court to consider filings by attorneys that have been dead eleven (11) years.

CONCLUSION

With this latest crime by respondent Krantz and his counsel, the Supreme Court should consider Walsh's petition for Writ of Certiorari to be unopposed, and properly remanded for trial so that Krantz crimes and his ever changing testimony may be heard before a jury.

Attorney Gicking 46609 is supposed to be an officer of the court. With this latest crime, the Supreme Court should strip him of his ability to practice law and punish him to the full extent of the law for his committing fraud before the highest court in the land.

Semper Fidelis,

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